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* Admitted in NY only
** Passed the Patent Bar Examination

September 4, 2001

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/823,884
Title: *7-And 9-Carbamate, Urea, Thiourea, Thiocarbamate, and Heteroaryl-Amino Substituted Tetracycline Compounds*
Inventor: Mark L. Nelson, et al.
Filed: March 30, 2001
Our Ref: GAZ-025CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. An Executed Declaration, Petition and Power of Attorney;
3. Copy of the Formalities Letter;
4. Exhibit A (copy of the Application Transmittal) and Exhibit B (Claim Summary);
5. Check for \$3,044.00 (\$2,934.00 missing parts and \$110.00 extension of time);
6. Request for One-Month Extension of Time (in duplicate); and
7. An acknowledgement postcard.

Please charge any underpayments or credit any overpayments to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

September 4, 2001

Date

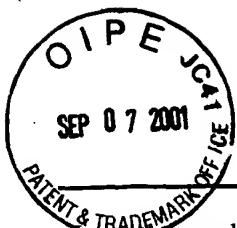
CH
Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

CH
Elizabeth A. Hanley, Esq.
Registration No. 33,505

EAH:CMS:bjj
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Mark L. Nelson, *et al.*

Serial No.: 09/823,884

Filed: March 30, 2001

For: 7- AND 9-CARBAMATE, UREA, THIOUREA,
THiocarbamate, AND HETEROARYL-AMINO
SUBSTITUTED TETRACYCLINE COMPOUNDS

Attorney Docket No.: GAZ-025CP

Group Art Unit: 1614

Examiner: Not Assigned

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

September 4, 2001

Date of Signature and of Mail Deposit

By:

Elizabeth A. Hanley, Esq.

Registration No. 33,505

Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

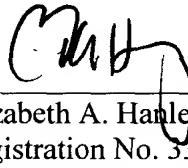
Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated June 4, 2001, Applicants' attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A one-month extension of time is being filed concurrently herewith. A check in the amount of \$3,044.00 (\$710.00 basic fee, \$2,094.00 additional claims fee, \$130.00 surcharge, and \$110.00 one-month

extension of time) is enclosed to cover the surcharge owed by Applicants based on large entity status. This amount is based on Applicants' calculation of claims which we respectfully believe is correct. Exhibit A (copy of the application transmittal) and Exhibit B (Claim Summary) is enclosed as confirmation. In addition, a copy of the Formalities Letter is also enclosed.

Please charge any deficiencies or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this letter is enclosed.

Respectfully submitted,


Elizabeth A. Hanley, Esq.
Registration No. 33,505
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: September 4, 2001

THE COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D.C. 20231

EXHIBIT A

EL 589752135US



"Express Mail" Mailing Label Number	EL 589 752 135 US
Date of Deposit	March 30, 2001
I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Patent Application, Washington, DC 20231.	
Signature	Nelson Barros <i>Nelson Barros</i>
Please Print Name of Person Signing	

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Mark L. Nelson, Stuart B. Levy, Roger Frechette, Todd E. Bowser, Mohamed Y. Ismail

For: 7- AND 9- CARBAMATE, UREA, THIOUREA, THiocarbamate, AND HETEROARYL-AMINO SUBSTITUTED TETRACYCLINE COMPOUNDS

Enclosed are:

54 pages of specification, 16 pages of claims, 1 pages of abstract.

_____ sheets of drawings.

An unexecuted Declaration, Petition and Power of Attorney.

An assignment of the invention to _____ A recordation form cover sheet (Form PTO 1595) is also enclosed.

Applicant claims small entity status. See 37 CFR 1.27.

Other _____

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)
FOR:	NO. FILED
BASIC FEE	//////////
TOTAL CLAIMS	108 - 20 = 88
INDEP. CLAIMS	6 - 3 = 3
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED	

* If the difference in Col. 2 is less than zero,
enter "0" in Col. 2.

SMALL ENTITY	
RATE	FEES
//////////	\$
x 9=	\$
x 40	\$
+135	\$
TOTAL	0

OTHER THAN SMALL ENTITY	
OR	RATE \$ 710
OR	////////// \$ 1584
OR	x 80 \$ 240
OR	+270 \$ 270
TOTAL	\$2804.00

 THE FILING FEES ARE NOT BEING PAID AT THIS TIME.

A check in the amount of \$ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 C.F.R. 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. A duplicate copy of this sheet is enclosed.

Any patent application processing fees under 37 C.F.R. 1.17.

The issue fee set in 37 C.F.R. 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Any filing fees under 37 C.F.R. 1.16 for presentation of extra claims.

A check in the amount of \$ _____ to cover the recording of assignment documents is also enclosed.

Address all future communications (May only be completed by applicant, or attorney or agent of record) to Elizabeth A. Hanley, Esq. at Customer Number: **000959** whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

Date: March 30, 2001

LAHIVE & COCKFIELD, LLP
Attorneys at Law

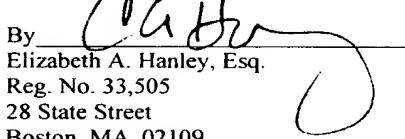
By 
Elizabeth A. Hanley, Esq.
Reg. No. 33,505
28 State Street
Boston, MA 02109
(617) 227-7400
Telecopier (617) 742-4214

EXHIBIT B

CLAIM SUMMARY
U.S.N.N 09/823,884

Independent Claims	Dependent Claims	Multiple Dependent Claims
Claim 1	Claims 2-14	Claims 15-18
Claim 77	Claims 19-60	Claims 61-62
Claim 82	Claims 63-76	
Claim 84	Claims 78-81	
Claim 95	Claim 83	
Claim 100	Claims 85-94	
	Claims 96-99	
	Claims 101-102	
Total 6	90	12

Total Claims = 108 (6+90+12=108)

Claim Fee Calculation

6- 3= 3 claims @\\$80.00= \$ 240.00
 108-20=88 claims @\$18.00=\$1,584.00
 Multiple Dependent Claim Fee=\$ 270.00
 Basic Filing Fee =\\$ 710.00
 Surcharge =\\$ 130.00

TOTAL FEE \$2,934.00



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,884	03/30/2001	Mark L. Nelson	PKZ-025CP

CONFIRMATION NO. 7556

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER



OC000000006142152

Date Mailed: 06/04/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2222.
 - \$1872 for 104 total claims over 20.
 - \$80 for 1 independent claims over 3 .
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3062.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

00000063 09823884
710.00 88888
154.00 88888
120.00 870.00
130.00

JUN 07 2001

RECEIVED	SUBMITTED
09/10/2001	09/10/2001
01 FC101	02 FC102
02 FC102	03 FC103
03 FC103	04 FC104
04 FC104	05 FC105